

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

MARK STAAKE,

Plaintiff,

v.

Civ. No. 19-1193 RB/GJF

DAVID JABLONSKI, *et al.*,

Defendants.

**ORDER DIRECTING ISSUANCE OF
NOTICE AND WAIVER OF SERVICE FORMS**


THIS MATTER is before the Court on Plaintiff's *pro se* Prisoner Civil Complaint [ECF 1-2], removed to this Court by Defendants [ECF 1]. During the time frame relevant to the Complaint, Plaintiff was an inmate at the Northeast New Mexico Correctional Facility (the "Facility"). He alleges, *inter alia*, that Defendants were deliberately indifferent to his serious medical needs after he was injured when a cable on the exercise machine that he was using snapped, causing him to fall backwards onto a concrete floor.

Having reviewed the Complaint *sua sponte* under 28 U.S.C. § 1915(e) and Fed. R. Civ. P. 12(b)(6), the Court finds the claims must be resolved on a full record and after a *Martinez* investigation. Park & Associates, LLC has entered an appearance in this case on behalf of Defendant Centurion Correctional Healthcare of New Mexico, LLC. ECF 17. The Court will give the remaining Defendants an opportunity to waive formal service requirements before ordering personal service by the U.S. Marshals. The costs of service may be imposed on any Defendant if the Court finds that they declined to waive personal service without good cause.

IT IS THEREFORE ORDERED that the Clerk's Office shall **ISSUE** Notice and Waiver of Service Forms, along with a copy of the Complaint [ECF 1-2], on the remaining Defendants

using the address provided by Paula E. Ganz, Esq. *See* ECF 21 at 9 (providing Ms. Ganz's address).

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE